

REMARKS

This communication is a full and timely response to the non-final Office Action dated December 22, 2004 (Paper No./Mail Date 20041220). By this communication, claim 2 has been canceled without prejudice or disclaimer of the underlying subject matter. The title of the invention, the specification, and claims 1, 3, and 4 have been amended. Claim 5 have been added.

The title has been amended to describe the invention as "GAMING MACHINE HAVING A PROTECTIVE MEMBER." No new matter has been added.

The specification has been amended to resolve formal issues and improve form. No new matter has been added.

Claim 1 has been amended to recite a protective member configured to cover the drive unit and at least a portion of the light emission means, said protective member having an outer shape that is separated from the drive unit at at least a predetermined distance. Support for the subject matter added to claim 1 can be found variously throughout the specification and claims, for example, in original claim 2. No new matter has been added.

Claims 3 and 4 have been amended to resolve formal issues raised by the cancellation of claim 2. No new matter has been added.

Claim 5 depends from claim 1 and additionally recites that the outer shape of said protective member is separated from the drive unit at at least a predetermined distance to avoid an effect on the driver unit by an external magnetic force. Support for the subject matter recited in claim 5 can be found variously throughout the specification, for example, at paragraph [0041]. No new matter has been added.

Claims 1 and 3-5 are pending where claim 1 is independent.

Allowable Subject Matter

Applicant thanks the Examiner for indicating the presence of allowable subject matter in claims 2-4. As discussed above, claim 1 has been amended to incorporate the subject matter of claim 2. Accordingly, Applicant respectfully submits that claims 1 and 3-5 are in condition for allowance.

Objection to the Title

The title was objected to for allegedly being non-descriptive. Applicant disagrees. However, in an effort to expedite prosecution the title has been amended to describe the invention as “Gaming Machine Having a Protective Member.” Accordingly, Applicant respectfully requests that the objection to the title be withdrawn.

Rejections Under 35 U.S.C. 103

Claim 1 was rejected under 35 U.S.C. 103(a) as unpatentable over *Sines et al.*, U.S. Patent No. 5,934,672 in view of Applicant’s Alleged Admitted Prior Art (*AAPA*). As discussed above, claim 1 has been amended to incorporate the allowable subject matter of original claim 2 (canceled by amendment). As a result, the rejection of claim 1 is moot and should be withdrawn. Moreover, Applicant respectfully requests that claim 1 be allowed.

Claims 3 and 4 depend from claim 1. By virtue of this dependency, Applicant submits that claims 3 and 4 are allowable for at least the same reasons given above with respect to claim 1. In addition, Applicant submits that claims 3 and 4 are further distinguished over the applied (as acknowledged by the Examiner) by the additional elements recited therein, and particularly with respect to each claimed combination. Applicant respectfully requests, therefore, that claims 3 and 4 be allowed.

Newly Added Claim

Claim 5 depends from claim 1 and additionally recites that the outer shape of said protective member is separated from the drive unit at at least a predetermined distance to avoid an effect on the driver unit by an external magnetic force. By virtue of this dependency, Applicant submits that claim 5 is allowable for at least the same reasons given above with respect to claim 1. In addition, Applicant submits that claim 5 is further distinguished over the applied art by the additional elements recited therein, and particularly with respect to the claimed combination. Applicant respectfully requests, therefore, that claim 5 be considered and allowed.

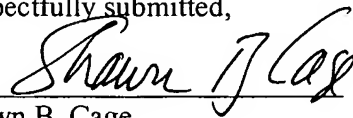
Conclusion

Based on at least the foregoing amendments and remarks, Applicants submit that claims 1 and 3-5 are allowable, and this application is in condition for allowance. Accordingly, Applicants request favorable reexamination and reconsideration of the application. In the event the Examiner has any comments or suggestions for placing the application in even better form, Applicants request that the Examiner contact the undersigned attorney at the number listed below.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-0013, under Order No. SHO-0052 from which the undersigned is authorized to draw.

Dated: March 17, 2005

Respectfully submitted,

By 

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